

## UNITED STATES DISTRICT COURT

for the

Western District of New York



\_\_\_\_ CIVIL RIGHTS \_\_\_\_ Division

GREEN YOLANDA

Case No.

23-cv-6104 FPG

(to be filled in by the Clerk's Office)

## Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

EASTMAN RESERVE LLC, ET AL.

## Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

## COMPLAINT AND REQUEST FOR INJUNCTION

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	YOLANDA ESTELLE GREEN
Street Address	301 EASTMAN AVENUE #442
City and County	ROCHESTER MONROE
State and Zip Code	NEW YORK 14615
Telephone Number	585-202-2278
E-mail Address	PLANT_25@YAHOO.COM

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction**Defendant No. 1**

Name	KATHRYN BRYAN, PATHSTONE MANAGEMENT CORP.
Job or Title <i>(if known)</i>	SENIOR VICE PRESIDENT PROPERTY MANAGER
Street Address	6 PRINCE STREET
City and County	ROCHESTER MONROE
State and Zip Code	NEW YORK 14617
Telephone Number	585-546-6340 EXT. 204
E-mail Address <i>(if known)</i>	KBRYAN@PATHSTONE.ORG

**Defendant No. 2**

Name	CHRISTINA BROOKS
Job or Title <i>(if known)</i>	DIRECTOR OF HOUSING DEVELOPMENT
Street Address	6 PRINCE STREET
City and County	ROCHESTER MONROE
State and Zip Code	NEW YORK 14617
Telephone Number	585-546-6340 EXT 205
E-mail Address <i>(if known)</i>	CBROOKS@PATHSTONE.ORG

**Defendant No. 3**

Name	DAWN SULLI, EASTMAN RESERVE
Job or Title <i>(if known)</i>	FORMER PROPERTY MANAGER
Street Address	6 PRINCE STREET
City and County	ROCHESTER MONROE
State and Zip Code	NEW YORK 14617
Telephone Number	N/A
E-mail Address <i>(if known)</i>	N/A

**Defendant No. 4**

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

ARTICLE 15 SECTION 296 (C) (i) (ii) 2-a (b): UNLAWFUL DISCRIMINATORY (INDIRECT) PRACTICES

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_.

**b. If the plaintiff is a corporation**

The plaintiff, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)****a. If the defendant is an individual**

The defendant, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_. Or is a citizen of *(foreign nation)* \_\_\_\_\_.

**Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction**

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b. If the defendant is a corporation

The defendant, *(name)* \_\_\_\_\_, is incorporated under  
the laws of the State of *(name)* \_\_\_\_\_, and has its  
principal place of business in the State of *(name)* \_\_\_\_\_.  
Or is incorporated under the laws of *(foreign nation)* \_\_\_\_\_,  
and has its principal place of business in *(name)* \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

\$1,000,000.00 FOR COMPENSATORY AND PUNITIVE DAMAGES

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**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

THE PARKING LOT OF EASTMAN RESERVE AT 301/303 EASTMAN AVEUNE

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B. What date and approximate time did the events giving rise to your claim(s) occur?

ON SATURDAY; JUNE 12th AT 12:10AM

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- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

THE HOUSING DIRECTOR AND PROPERTY MANAGER SET PRIVILEGES AND CONDITIONS THAT ARE DEEMED AS INDIRECT DISCRIMINATORY PRACTICE. THE DEFENDANTS AUTHORIZED MY VEHICLE TO BE TOWED WITHOUT OFFERING ALTERNATIVES FOR ME TO RETRIVE A PARKING STICKER WHEN THE OFFICE IS CLOSED. I WAS DENIED PARKING AND WAS PENALIZED WITH AN ASTRONOMICAL AMOUNT FEE TO SECURE THE VEHICLE FROM THE TOWING COMPANY. I WAS NEVER REIMBURSED IN COMPENSATION AS A TENANT WHO HAD NO ACCESS TO A PARKING STICKER. THE CONDITIONS CAUSED ME DUE HARM IN THE FORM OF FLAIRING MY DEPRESSION AND ANXIETY TO BECOME SEVERE. I WAS NOT ABLE TO ENJOY USING THE PARKING LOT BECAUSE OF THESE LIMITED CONDITIONS

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**IV. Irreparable Injury**

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

N/A

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**V. Relief**

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

MY DISABILITY RIGHTS WERE VIOLATED. I HAVE BEEN HARASSED BY TENANTS AND PROPERTY MANAGER. I HAVE ASKED ORALLY AND AN ADVOCATE FOR ROCHESTER INDEPENDENT LIVING CENTER SENT A WRITTEN LETTER VIA EMAIL TO REQUEST A TRANSFER TO ANOTHER APARTMENT COMPLEX OR HOUSE BECAUSE I FEEL UNSAFE. I WAS DENIED SERVICES BY THE NEW PROPERTY MANAGER, MARIA RODRIGUEZ. DUE TO MY PTSD SYMPTOMS BEING OVERLY TRIGGERED; THE MENTAL INJURY RECOVER WILL TAKE YEARS AND CAN BE IMMEDIATELY ADDRESSED BY OBTAINING SAFE HOUSING AND SAFE ENVIRONMENT FROM THE PUNITIVE MONEY DAMAGES I SEEK.

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**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 02-09-2023

Signature of Plaintiff

Printed Name of Plaintiff

Yolanda Estelle Green  
YOLANDA ESTELLE GREEN

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

# **HEADLINE**

## **EXHIBIT 1**

- HUD HOUSING DISCRIMINATION COMPLAINT

## **EXHIBIT 2**

- DEFANDANTS RESPONSE

## **EXHIBIT 3**

- LETTER FROM PLAINTIFF REBUTTAL

## **EXHIBIT 4**

- LETTER FROM HUD ACKNOWLEDGING REQUEST FOR REVIEW OF CASE CLOSURE
- LETTER FROM PLANTIFF REQUESTING REVIEW OF CASE CLOSURE

## **EXHIBIT 5**

- LETTER FROM DIVISION OF HUMAN RIGHSTS DETERMINATION AND ORDER
- LETTER FROM HUD ACKNOWLEDGING DETERMINATION AND ORDER

## **EXHIBIT 6**

- LETTER FROM HUD ACKNOWLEDGING REQUEST FOR REVIEW OF CASE CLOSURE
- LETTER FROM PLANTIFF REQUESTING REVIEW OF CASE CLOSURE

## **EXHIBIT 7**

- CONTRACT OF VIOLENCE AGAINST WOMEN ACT LEASE ADDENDUM
- EMAIL FROM PROPERTY MANAGER, LETTER TO DSS, LETTER FROM CATHOLIC CHARITIES, AND POLICE REPORT